

THIS DEED, Made this day of July , 1983 ,

between E. J. Fox and Patricia Fox

of the County of and state of Cal-
ifornia of the first part, and

BALCOM CHEMICALS, INC.

of the County of Routt and state of
Colorado, of the second part.

STATE DOCUMENTS FEE

DATE OCT. 13 1983

\$ no fee

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
other valuable consideration and TEN ----- DOLLARS,
to the said part ies of the first part in hand paid by the said part y of the second part, the receipt whereof
is hereby confessed and acknowledged, ha ve remise, released, sold, conveyed and QUIT CLAIMED, and by
these presents do remise, release, sell, convey and QUIT CLAIM unto the said party of the second part,
its heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the said
part ies of the first part ha ve in and to the following described lot or parcel of land situate, lying and
being in the County of Routt and State of Colorado, to wit:

The Walton Creek Ditch, Priority 36 (35), as evidenced
by its original decree for irrigation entered September
22, 1892, and that Findings and Decree approving a change
in point of diversion and a change in character of use
entered by the District Court in and for County of Routt
in Case #3966, dated December 27, 1967, except that .25
cfs of Walton Creek Ditch Priority 36 (35) reserved to
E. J. Fox and Patricia Fox.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the
said part ies of the first part, either in law or equity, to the only proper use, benefit and behoof of the said
part y of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said part ies of the first part have hereunto set their hand
and seal the day and year first above written.

9/22/83
Signed, Sealed and Delivered in the Presence of
E. J. Fox [SEAL]
Patricia Fox [SEAL]
[SEAL]
[SEAL]

STATE OF CALIFORNIA }
County of Madera } ss.

The foregoing instrument was acknowledged before me this 22nd day of September
1983, by E. J. Fox and Patricia Fox

My commission expires November 23 , 1984 . Witness my hand and official seal.

Josephine Baldrice
Notary Public



Recorded at 12:30 o'clock P.M. OCT. 13 1983
Reception No. 330350
Mimi Sullivan, Recorder Routt County, Colo. 6.00 of

CLARIFICATION OF THE ADDENDUM OF
SEPTEMBER 16, 1975 AND
MODIFICATION OF AGREEMENT OF FEBRUARY 25, 1976

WHEREAS, E. J. Fox and Patricia Fox conveyed certain property to Balcom Chemicals, Inc., by deed recorded in Book 414 at Page 166 of the Routt County, Colorado records; and

WHEREAS, Said conveyance was subject to two auxillary documents, respectively described as:

1. Addendum of September 16, 1975
2. Modification of Agreement of February 25, 1976

WHEREAS, It is in the best interests of all the parties to clarify the respective rights, duties and obligations that were created by the above described documents.

This clarification does not alter, amend, change or void the rights, duties and obligations created by the above described documents.

It was and is the intent of the parties that in the event either a sewage treatment facility and/or a private water treatment facility is constructed to service the property conveyed as part of a development of the property, then and in that event those facilities would be designed and built with enough extra treatment capacity to handle 86 single family residential users. The 86 single family residential users would be those families living in the Routt County Subdivision known as Fox Estates, situate in Section 15, TWP 5 N, R 84 W of the 6th P.M.

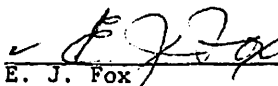
It was the intent that those 86 single family users would not be charged a tap fee of any kind for either sewer or water.

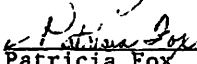
It was not the intent of the parties to exempt the 86 single family users from paying a monthly, quarterly or annual fee for either sewage treatment or water. Nor was it the intent to impose on the developer the obligation to pay for the construction of sewer or water pipes where necessary to provide the 86 single family users with water and sewer service.

The purpose of the documents was to provide the 86 single family users an opportunity to join the water and sewer system if such facilities were ever built. The 86 single family users would not have to contribute to the cost of construction of the treatment facilities, but they would have to pay the total cost for whatever pumps, lines, tanks, etc., were necessary to hook their houses up to the facilities.

II. Clarification-Re Reversion of .25 c.f.s. of Walton Creek Ditch Priority N. 36 (35).

It was the intent of the parties that if the families in the Fox Estates did exercise their right to make use of the water facilities made available by the developer that the water reserved to the Fox Estates would be transferred back to whoever developed and built the facilities.


E. J. Fox


Patricia Fox

BALCOM CHEMICALS, INC.

By 